

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

STACY McGUIRE, et al.,
Plaintiffs,
v.
COUNTY OF STANISLAUS, et al.,
Defendants.

No. 2:23-cv-02958 AC

ORDER TO SHOW CAUSE

This case was filed on December 18, 2023. ECF No. 1. The action has been assigned to the Magistrate Judge under the court's automated case assignment plan. See Local Rules, Appendix A, subsection (m). Pursuant to the Local Rule and the Civil Case Documents issued in this case (ECF No. 3) the parties are required to return the "CONSENT / DECLINE OF U.S. MAGISTRATE JUDGE JURISDICTION" form to the Clerk within 90 days from the date the action was filed, or within 14 days of removal from state court. ECF No. 3 at 2. The parties were cautioned that "[f]ailure to do so may result in the court vacating a hearing or declining to resolve the motion until all consent designations have been submitted." Id.

Because this action was filed initially in federal court, the parties' consent/decline forms were due on March 17, 2024. The parties have not filed their forms. However, there is no indication on the record that the complaint was served on defendants. It appears plaintiff is not in


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1 compliance with Fed. R. Civ. P. 40(m), which requires service of process on defendants within 90
2 days of filing the complaint. Id.

3 The deadline for service and filing consent/decline forms has passed, and neither proof of
4 service nor the consent/decline forms have been filed. The court is concerned plaintiffs have
5 abandoned this case. Plaintiffs are therefore ORDERED TO SHOW CAUSE in writing within 10
6 days of this order why they have not filed their consent/decline forms or submitted proof of
7 service. Submission of the form and proof of service will automatically discharge this order.
8 Failure to file the forms or show good cause may result in sanctions, including a recommendation
9 that the case be dismissed for failure to prosecute.

10 IT IS SO ORDERED.

11 DATED: March 21, 2024

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13 ALLISON CLAIRE
14 UNITED STATES MAGISTRATE JUDGE
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